

EDMONDS CITY COUNCIL APPROVED MINUTES

April 12, 2016

The Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Kristiana Johnson, Council President (arrived 7:01 p.m.)
Michael Nelson, Councilmember
Adrienne Fraley-Monillas, Councilmember
Diane Buckshnis, Councilmember
Dave Teitzel, Councilmember
Thomas Mesaros, Councilmember
Neil Tibbott, Councilmember

STAFF PRESENT

P. Clark, Police Officer
Jim Lawless, Assistant Police Chief
Phil Williams, Public Works Director
Carrie Hite, Parks, Rec. & Cult. Serv. Dir.
Patrick Doherty, Econ. Dev & Comm. Serv. Dir.
Shane Hope, Development Services Director
Scott James, Finance Director
Rob Chave, Planning Manager
Kernen Lien, Senior Planner
Beth Ford, City Attorney's Office
Scott Passey, City Clerk
Jerrie Bevington, Camera Operator
Jeannie Dines, Recorder

Mayor Earling explained a new audio visual system was recently installed in Council Chambers. Many of the technical issues that were experienced last week have been solved but the Council is still getting used to the new system.

1. ROLL CALL

City Clerk Scott Passey called the roll. All elected officials were present.

2. APPROVAL OF AGENDA

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.

3. APPROVAL OF CONSENT AGENDA ITEMS

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER MESAROS, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

A. APPROVAL OF DRAFT CITY COUNCIL MEETING MINUTES OF APRIL 5, 2016

B. APPROVAL OF CLAIM CHECKS #219315 THROUGH #219440 DATED APRIL 7, 2016 FOR \$2,282,730.71. APPROVAL OF PAYROLL DIRECT DEPOSIT AND CHECKS #62119 THROUGH #62128, #62137 THROUGH #62138 FOR \$506,173.73, BENEFIT

CHECKS #62129 THROUGH #62136 AND WIRE PAYMENTS OF \$473,209.56 FOR THE PAY PERIOD MARCH 16, 2016 THROUGH MARCH 31, 2016

- C. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM SUZANNE O. MEAGHER (\$1,161.41)**
- D. RESOLUTION IMPLEMENTING THE CIVIC FIELD STREET VACATIONS PROCESS**

4. PRESENTATIONS/REPORTS

A. EDMONDS MEMORIAL CEMETERY BOARD ANNUAL REPORT

Jerry Janacek, Chair, Edmonds Memorial Cemetery Board, thanked Program Manager Cindi Cruz and Parks Manager Rich Lindsay for their assistance. He relayed the Board's responsibility to report annually to the Council concerning the operation of the cemetery, the short and long term goals of the board concerning the cemetery and the activities of the Board (Ordinance 2306, dated 1982). He provided a brief history of the cemetery:

- Land donated in 1893 to the International Order of Oddfellows, an active fraternal organization in Edmonds
- Additional land donated to the organization in 1894
- First cemetery created due to the donation of property by Thomas H. White, his great grandfather, who came to Edmonds in 1887
- Cemetery operated by International Order of Oddfellows until 1946 when it was sold to succession of private owners
- Many of the private owners did not keep good records and the cemetery fell into serious neglect
- Edmonds Memorial Cemetery was placed on the Washington State Register of Historic Places in 1972
- In 1982 longtime resident Larry Hubbard purchased the cemetery and willed it to the City of Edmonds.
- Edmonds Cemetery and Columbarium is operated by the City's Parks & Recreation Department
- City's Parks & Recreation Department works with the Cemetery Board who makes recommendations for improvement and maintenance of the cemetery
- The Cemetery Board is comprised of up to seven members appointed by the Mayor and confirmed by City Council
- Cemetery is 6.5 acres
- Approximately 7,000 people buried in cemetery including 14 former Edmonds mayors, 400 veterans of 6 different wars and many Edmonds pioneers

Mr. Janacek described current events

- Memorial Day Observance and Ceremony: May 30, 2016
 - Mayor Earling, a regular participant, will be a speaker this year
- Walk Back in Time – July 21, 2016
 - Will feature backgrounds of several Civil War Veterans
 - Last year several board members and other shared facts regarding former Edmonds mayors
 - His research in the book "Edmonds, Gem of Puget Sound" discovered a discussion about the Dayton Street sewer in December 1938 led to a brief but spirited encounter between the Mayor and a Councilmember

The Edmonds Memorial Cemetery enjoys the participation of various individuals and organizations who volunteer as board members and at events such as Memorial Day including scout troops, school bands,

American Legion Post 66, VFW Post 8870, Washington National Guard and many others. Mr. Janacek reported on tasks the Cemetery Board would like to undertake in the future:

- Develop a list of closely related relatives to those who are buried in the cemetery
 - Damage to a 100-year old grave marker last year led to a lengthy search for the family to repair the marker.
- Ordinance 3596, October 1986 states, the City Council wishes to establishing a non-expenditure trust fund for the purpose of accumulating principle in order that future maintenance of the cemetery may be accomplished with a minimum expenditure of public revenues.
 - Limited space for burials and decreased income
 - Construction of the columbarium has been well received by the community
 - Board is exploring how best to utilize space and provide funds so less can be spent from general public funds and more from future trust funds.
- Begin cemetery mapping project
 - Due to various private owners in the 1960s and 1970s until the City became the owner, there is a lack of records and mapping of some burial sites
 - Hopefully funds for this project will be authorized in 2017

He encouraged the Council and the public to attend the Memorial Day Event and Walk Back in Time.

Council President Johnson thanked Mr. Janacek for the informative and colorful history of the cemetery and requested a copy of his presentation. She inquired about the funding request for the mapping project. Parks & Recreation Director Carrie Hite answered \$100,000 is included in the CIP for 2017. Council President Johnson said she has attended many of the 34 Memorial Day events as well as the Walk Back in Time a few years ago and appreciated both events.

Councilmember Mesaros thanked Mr. Janacek and the Cemetery Board for their service, relaying his in-laws were laid to rest in the cemetery's columbarium during the last four years. He was pleased that new facility was available; his father-in-law was a veteran of WWII. The family enjoys frequent visits to the well-cared-for cemetery.

Councilmember Buckshnis looked forward to the mapping project. She often visits other cities' cemeteries such as in Charlotte, North Carolina's where the cemetery has been mapped. She and her husband also enjoys the Memorial Day service.

B. CITIZENS' TREE BOARD ANNUAL REPORT AND 2016 WORK PLAN

Steve Hatzenbeler, Chair, Citizens' Tree Board, introduced Tree Board Members Barbara Durr and Barbara Chase and the two newest members, Doug Peterson and Vivian Olsen. He displayed a picture of several stumps, which he (tongue-in-cheek) labeled as 2015 Edmonds trees.

Chair Hatzenbeler presented the Tree Board's Mission Statement: The City of Edmonds Tree Board will engage, encourage, and educate both the City government and residents to protect our current canopy resource and plant new trees appropriately for the long term benefit of our community. He reviewed:

- Tree Board Goals:
 - Advise and assist city officials in development of a tree ordinance designed to preserve and protect existing trees, encourage additional trees, and appropriately safeguard trees in construction areas
 - Advocate for the enforcement of the tree and critical areas ordinance in order to protect trees in our wetlands, steep slopes, and watersheds
 - Increase community outreach and education regarding the value of trees, proper selection of trees, and correct methods for planting of and caring for trees

- Encourage active stewardship of the urban forest through partnering with community organizations, to include arboriculture in multiple aspects of the city
- Work to develop funding sources to expand tree related programs
- Sponsor an annual Arbor Day event
- 2015 Year in Review
 - Tree City USA – 5th year renewal recently received
 - Tree and Shrub Planting in Yost Park in October
 - Planting event in unimproved right-of-way at 8th and Daly where utility work done
 - Tree Code Rewrite Draft Review and Public Process
 - Lessons learned

Chair Hatzenbeler reviewed the following:

- Thank you to the City Council and Mayor for this year's Tree Board budget
- What's the value of Tree City USA?
 - Shows the City's commitment to environmental stewardship – marketing tool!
 - Helps track tree-related expenditures, which can be used to improve efficiency in City spending
 - Funding for Washington State DNR Urban Forestry program comes from federal government, and is tied to the number of Tree Cities the State has. More funding will lead to improvements in DNR's ability to spend more time in communities educating citizens and staff
- Consider reassigning the Tree Board from a City Council board to staff/executive in Development Services or maybe Parks?
- Recommend changing annual Tree Board presentation to March or April, rather than December (per ECC 10.95.030 B)
- Staff/contractor support: prefer to have an internal staff person, not a contractor, because of the improved efficiency (e.g., no travel time; better access “inside”)
- Urban Forestry Management Plan
 - \$130,000 is slated to be spent in 2016 and '17 on the Urban Forestry Management Plan (UFMP)
 - Strongly believe it needs to include policies regarding trees on private property, possibly include districting to establish different goals and standards for different areas in the city
 - We have heard that the preliminary discussions are to not include any private property tree policies in the UFMP
 - A major opportunity will be lost if private properties are left out, as they are where most tree removal is taking place in the city (not public right-of-way or parks)

Barbara Chase, Tree Board Member, reviewed:

- 2106 Work Plan/Events
 - Cass Turnbull Presentation – May 5: The Seven Myths of Site Selection and Care of Trees
 - Arbor Day Planting event – October 15
 - Edmonds Summer Market table – summer 2016
 - Assist Parks Department with replacement of street trees on 5th Ave
 - Starting work partnering w/ Edmonds School District for on-campus planting
 - Urban community tree program planning w/ Washington Department of Natural Resources

Council President Johnson recalled Washington State's slogan, the Evergreen State, and suggested the City needed to its part to embrace that. She appreciated the Tree Board's efforts and welcomed the new members. She offered to work with Councilmember Buckshnis, Council liaison to the Tree Board, to address administrative issues Chair Hatzenbeler raised such as the timing of their report to the Council.

Councilmember Fraley-Monillas relayed she had not heard anything about a desire to exclude private property from the City's tree code. She recalled the public was upset about codes affecting private property that was not in a critical area, and requiring property owners to hire an arborist and pay fees to remove a diseased tree on their property. Chair Hatzenbeler recalled the public raised issue with private property rights. Councilmember Fraley-Monillas agreed there was concern with private property rights but it was more the need to hire an arborist and the fees required to remove a tree on private property. She thanked Chair Hatzenbeler for his efforts on the Tree Board.

Councilmember Buckshnis advised she has already prepared an agenda memo proposing to move the Tree Board's report to the first quarter of the year and to specify Tree Board meetings are held the first Thursday of month.

Councilmember Nelson commented he was put off by the picture of tree stumps labeled as Edmonds trees and was glad for the clarification that it was tongue-in-cheek. He looked forward to an opportunity via the UFMP to be collaborative with private property owners, anticipating an inventory will reveal the majority of trees are on private property and the City will need their partnership/collaboration for a successful UFMP. Chair Hatzenbeler recalled Councilmember Councilmember Councilmember Nelson's preference last year for a carrot rather than a stick approach. That was important to the Tree Board; ways to incentivize planting of trees also arose in the discussions with DNR, for example a reduction in stormwater fees in exchange for a percentage of canopy cover on a property. Councilmember Nelson said in reviewing other cities' UFMP, there are a litany of incentives; development of an UFMP will be a great opportunity to consider what fits Edmonds.

Councilmember Teitzel thanked Chair Hatzenbeler for his presentation and the work the Tree Board does. He referred to the term, right tree, right place, asking whether that included encouraging people to plant trees that may not grow as tall on west facing slopes in Edmonds where property owners pay a premium for their views. Chair Hatzenbeler answered absolutely, the intent is to encourage a recognition that urban trees are appropriate for urban places and generally grow smaller but that does not necessarily eliminate all their benefits. He did not to discourage the planting of smaller trees where appropriate; the slogan means find the right tree instead of no tree.

Council President Johnson shared a personal, cautionary story that echoes some of the concerns previous Councilmembers have raised. Last year the Tree Board proposed strong regulations in the Tree Code that resulted in unintended consequences; her 89-year old father's property had several mature 150-foot Douglas firs. Due to the threat of the ordinance, he removed eight mature trees; a loss to the City and to her personally. She cautioned the Tree Board to ensure proposed ordinances do not have unintended consequences.

Councilmember Mesaros echoed comments of other Councilmembers. He agreed there was a place for input and discussion regarding private property owners' use of trees and incentives such as education, process, inclusion in discussion, setting up forums for discussion of common goals, and how canopy can benefit private property owners. Rather than cautioning the Tree Board to step lightly, he encouraged them go forth boldly but with the inclusion of the private property owners.

Councilmember Tibbott relayed when he visited the Tree Board earlier this year, he learned Tree City USA requires auditing the way the City cares for trees and the City's investment in trees. He asked how that information is collected and the role the consultant plays in compiling and reporting the data to Tree City USA. Chair Hatzenbeler explained the Tree City USA application requires the City spend a minimum of \$2/capita (\$80,000/year for Edmonds) on tree -related expenses such as tree cleanup, development of the proposed ordinance, tree planting, any tree-related expenses. The consultant took over that task last year, contacting departments to request review of timesheets; it was previously done by a

Tree Board Member. Parks has done a good job tracking that information but some other departments have not.

Councilmember Tibbott asked if whether that data collection process could be streamlined so that a report could be generated at year end rather than paying a consultant to gather the information. Chair Hatzenbeler agreed it could be streamlined but was not certain how to accomplish that other than asking the directors to track expenditures more efficiently.

Councilmember Buckshnis recalled Mr. Lindsay reporting at the last meeting that the Parks & Recreation Department has streamlined their timesheets to track the hours that staff spend on tree-related activities. Public Works Director Phil Williams advised Public Works is also tracking tree-related expenditures.

Councilmember Tibbott assumed the Tree Board was close to not needing to pay a consultant to accumulate that information. Chair Hatzenbeler said he needed to talk to the consultant regarding about how she spent her time last year and how to better utilize her time. By the time the Tree City USA application was submitted, her contract ended and that discussion was not possible. He commented on improved efficiency via having a staff person assigned to the Tree Board rather than an outside consultant. He believed the same consultant would be working with the Tree Board this year but the contract has not yet been finalized. He preferred to use the funded budgeted for a consultant on other things such as planting trees or education outreach. He agreed Tree City USA designation was important but questioned the need to spend that much on it. A Tree Board Member collected that information in the past but he was not able to take that on and there was not enough expertise on the board due to the amount of turnover.

C. LEGISLATIVE UPDATE

Economic Development & Community Services Director Patrick Doherty introduced Lobbyist Jennifer Ziegler. She reviewed:

- Background:
 - The Legislature convened on January 11, 2016.
 - The Senate Majority Caucus Coalition retained the majority in the 2015 elections. Republicans, joined by Senator Tim Sheldon, have a 26-23 majority in the Senate.
 - The previous House Democratic majority decreased from 51-47 to 50-48.
 - Although it was a 60-day legislative session, one special session was required to reach final budget agreements.
- Overall challenges:
 - Although the Legislature started the 2016 session with increases in overall state revenue projections, those projections were offset by caseload increases and wildfire costs.
 - The Governor's budget release prior to the start of the legislative session also highlighted the need to address teacher shortages and mental health issues.
 - Passage of Initiative 1366 raised questions regarding whether the Legislature would send a constitutional amendment to the voters regarding the Legislature's taxing authority.
 - Major policy issues for the 2016 legislative session included charter schools, carbon pricing and a state minimum wage rate increase.
- 2016 General Fund results:
 - The 2016 supplemental general fund operating budget increases spending by a net of \$191 million from the 2015-17 enacted spending level of \$38.2 billion.
 - The budget appropriates \$190 million from the Budget Stabilization Account for wildfire costs in the 2015-17 biennium.
 - The budget is projected to leave \$578 million in unrestricted reserves and \$701 million in the Budget Stabilization Account at the end of the 2015-17 biennium.

- Based on the four-year outlook, the proposed final supplemental budget proposal is projected to leave an unrestricted ending fund balance of \$1.1 billion in the Budget Stabilization Account at the end of the 2017-19 biennium
- 2016 General Fund local government impacts:
 - All of the major state-shared revenues (liquor excise tax, liquor profits distribution) are preserved. We were not successful in eliminating the cap on liquor profits, but the Legislature did not further erode that revenue.
 - Although previous versions of the budget cut funding for Basic Law Enforcement Academy training classes and increased the local government contribution for training, the agreed upon budget does not make those cuts. The budget does provide \$677,000 for two additional training classes in FY 2016.
 - The Legislature ultimately provided full funding for MRSC.
 - The agreed upon budget does sweep \$154 million in loan repayments in the Public Works Trust Fund in the 2017-19 biennium. This is an addition to the \$73 million swept in the current biennium. The budget provides \$50,000 for the Office of Financial Management to convene a work group to develop a local government infrastructure investment strategy. The group must provide a report outlining the local government investment strategy to the Governor and the Legislature by October 31, 2016, along with draft legislation for the 2017 legislative session.
- Additional local government impacts:
 - The agreed upon budget does not include a merger of the LEOFF 1 and TRS 1 retirement systems. The budget does direct the Joint Select Committee on Pension Policy to study the implications of combining these two systems and report to the Legislature by January 9, 2017.
 - The budget changes the existing approach to the Fire Insurance Premium Tax Distributions. The proposal limits the amount a city may receive to \$2,000 per pre-LEOFF and LEOFF 1 retiree or the amount received in 2016, whichever is less. Additionally, cities are only eligible to receive a distribution if they are levying the 22.5 cents property tax for the Firefighters' Pension Fund and can demonstrate the levy is not sufficient to meet the estimated demands on the fund or maintain the actuarial soundness of the fund.
 - AWC and number of cities wrote veto request letter. Governor on track to sign budget Monday, will learn decision that issue.
- 2016 Capital Budget results:
 - The supplemental capital budget makes new appropriations of \$95.4 million.
 - The budget includes \$7.9 million for Mental Health Facilities, \$11.4 million for local community projects and \$34.8 million for K-12 School Construction Assistance grants.
 - The Edmonds Veterans Plaza received \$77,000.
 - Significant decreases in the revenue from the Hazardous Substance Tax resulted in decreased funding for projects receiving funding from the Model Toxics Control Account (MTCA).
 - The Capital Budget does include a legislative commitment to restore MTCA funding in future biennia.
- 2016 Supplemental Transportation Budget:
 - The Legislature made minimal changes to the funding provided in the 2015 Connecting Washington Package.
 - WSDOT must update the freight mobility plan to comply with the FAST Act. The freight plan update must involve freight stakeholders, including local governments. WSDOT must provide a prioritized list of projects for consideration for funding in the 17-19 biennium.
 - The budget provides \$500,000 of federal funding for the Commission to advance the road user charge work to a stage that would enable Washington to implement a pilot project. The Commission must report to the Governor's office and the Legislature by November 1, 2016.
- 2016 legislative progress on policy items:

- Public Records
 - Ultimately died
- Body Cameras
 - Does not require body cameras, provides some protections
 - Task Force to work on long term plan for body cameras
- Public Facilities District Extension
 - Ultimately died
- Homelessness and Housing
 - Major policy bills did not pass
- School Siting outside UGB
 - Likely will return next year
- Electronic Signatures
 - Legislation passed
- Next Steps:
 - Monitor interim studies on local government infrastructure, LEOFF/TRF merger and MTCA stability.
 - Monitor and participate in interim legislative discussions on public records and the Growth Management Act.
 - Continue to monitor WSDOT work on transportation projects and practical design efforts.
 - Participate in discussions regarding the allocation of federal funding to local governments under the FAST Act.
 - Meet with City staff to develop 2017 legislative priorities to bring to Council.

Councilmember Nelson referred to the legislature's ongoing push to begin defunding the Public Works Trust Fund and lack of funding for local infrastructure and asked whether the legislature was trying to move funds from one to place to another or were those who were not yelling the loudest not getting funds. Ms. Ziegler answered the legislature is grabbing with basic education obligation funding which is the reason several of things that did not pass are targets for the next session as 2017 is the deadline for complying with McCleary. Depending on majorities next session and their interest in discussing new revenue, she recommended the City work with its legislators to ensure they know the value of these programs. With regard to the Public Works Trust Fund, there is a perception that larger cities use that source of funding as a way to keep utility rates lower; there was a philosophy, particularly on the Senate side, that that was not an appropriate State investment tool. That tool was used by small and medium size cities to provide an affordable financing tool that does not exist elsewhere.

Councilmember Fraley-Monillas referred to next steps and, pointing out that Council are the policy makers, expressed interested in having Ms. Ziegler meet with a group from Council to discuss Council legislative priorities. Ms. Ziegler relayed the Council can choose how to make that happen. With the legislature adjourning close to on time this year, there is a long interim before the next session to be strategic about next steps.

Council President Johnson thanked Mr. Doherty for distributing the weekly legislative updates which she finds fascinating. She asked what the legislature did, if anything, about crumb rubber. Ms. Ziegler responded there were two legislative proposals, Representative Pollet released the first proposal in the House which received a hearing. There was a focus on additional analysis regarding the potential health impacts and notice requirements on facilities that have crumb rubber regarding potential health impacts. Outdoor recreation advocates expressed concern with implications of the legislation. Senator Chase introduced a bill in the Senate but it did not receive a public hearing. She summarized the furthest any proposal went was a hearing in the House Environment Committee.

Council President Johnson commented Mayor Earling was the former President Snohomish County Cities Association; Ms. Ziegler has attended those meetings to discuss legislation. She asked how Snohomish County Cities did as a group to advance their legislative agenda. Ms. Ziegler answered well but it was hard to compare to the success of the last session; the success of Snohomish County Cities on the Connecting Washington package was a tribute to that effort. Cities did pull together to find common areas and advocate together on issues. She anticipated 2017 will be a very long and challenging legislative session and it will be important to be as united as possible on issues of concern.

Council President Johnson express concern no progress would be made in 2017 due to the McCleary decision and the funds that need to be dedicated to that. She was very pleased with the progress made on transportation last year and looked forward to work closely with Ms. Ziegler regarding the approach to 2017 with regard to expectations and incremental improvements for the future. Ms. Ziegler commented it will be worthwhile thinking through some of the straight up policy issues such as public records; identifying some purely policy issue that are priorities is also an opportunity.

D. PRESENTATION ON SUSTAINABLE CITIES PARTNERSHIP (SCP)

Planning Manager Rob Chave introduced **David Davidson, Sustainable Cities Partnership**, explaining SCP is a new WWU program, modeled after program in Oregon, where the university partners with a city during in a year to develop a program of mutual benefit whereby the resources of the university work together with city staff to develop a list of projects that benefit both.

Mr. Davidson reviewed:

- Premise – Cities are at the crux of the effort to transition to a more sustainable future
 - City issues ⇔ WWU courses
 - Students and faculty want to (and can!) make a difference
- A year of partnership:
 - Match city's needs to service-learning courses
 - Engage faculty/students on city's issues
 - On site, in field, and in classroom/studio/lab
 - Thousands of person-hours
 - Cutting edge, "outside the box"
 - Produce deliverables (reports, videos, software, GIS datasets)
 - Advance city's sustainability goals
- What SCP can do:
 - Urban planning / Environmental science
 - Spatial Analysis – GIS/GPS
 - Marketing / Financial analysis
 - Communications / Journalism / Design
 - Computer Science
 - Sociology / Anthropology
 - Community Health / Recreation
- Cost to Partner City
 - Fee
 - Solely direct cost – no overhead/indirect
 - Transportation, supplies, SCP coordinator
 - Avg. \$7K per course, at other programs
- Staff time
 - Champion
 - Overall coordinator–Per-project liaison
- Partnership schedule

- March & April, discussions & match-making
- April 29 application due date
- May 16 partner announcement
- By end of July, master contract & SOW appendices
- By mid-September, liaison & data provision
- Sep → June work!
- May 2017 event in town

Mr. Chave clarified staff was not requesting formal action tonight. This is a very compressed timeframe; staff learned about this last month and has been brainstorming a wide range of projects and forwarding them to WWU for reaction. The City needs to decide by the end of the month whether to pursue an application. He requested the Council indicate whether they wanted staff to continue working with WWU to formulate an application. Following that effort, staff would return to Council in a couple weeks to request a final decision. Once the City's application is submitted, WWU will select one city. Assuming the program continues, there may be an opportunity in a future year.

Mayor Earling explained when this opportunity was provided to the directors, over 40 potential projects were identified. Staff is excited about the potential and eager to move forward. If the City submitted an application, staff wants to win.

Councilmember Nelson asked how many projects the City can apply for. Mr. Davidson answered WWU has asked for a minimum of nine to make it work financially for WWU. Edmonds has identified 20+ projects and 14 faculty members are considering those; each faculty member will select a preferred project and inform the City. Councilmember Nelson asked how one city could be more competitive than another. Mr. Davidson answered partly finances; for instance, one city he is working with likely will only be able to identify seven projects instead of nine. Another factor is the driving distance, the driving distance to Edmonds is 1.5 hours; faculty members have to consider how to accommodate that with a class that schedules field work once a week for 4 hours. That time period would work fine for Mt. Vernon but was not enough time to come to Edmonds. He summarized distance and budget are factors.

Councilmember Nelson asked for an example of a successful project. Mr. Davidson responded although WWU is new to the attempt for multiple classes to work with a city, their winter-spring Urban Transition Studio has worked with Bellingham for the past 5-6 years on a neighborhood subarea plan. That effort includes citizen engagement, visioning, developing language for subarea plan, etc. Councilmember Nelson expressed support for moving forward.

Councilmember Buckshnis commented this is a great idea, recalling the City's previous work with the UW Green Futures Lab had great results. She asked how the number of projects would be reduced, commenting the list is wonderful and wished some Council items could be added. Mr. Davidson explained he is forwarding all the projects he views as a possibility to faculty members. The original 46 projects have been reduced to 20, the ones eliminated were ones no faculty member was interested in. Faculty are now in direct contact with City staff members such as the treatment plant operator, public works director, and a person in the building department so both understand what the project is, what the class could do, etc. He anticipated ultimately returning with a list of professors' preferred projects and a second choice if that project was a bigger preference for the City.

For Councilmember Buckshnis, Mr. Davidson advised there would be a mixture of undergraduate and graduate students.

Councilmember Buckshnis asked how the distance would be handled if Edmonds were chosen, whether some of the work could be done via skype. Mr. Davidson answered they have considered skype,

teleconferencing, having City staff come to a WWU class to describe a project, or changing the class schedule.

Councilmember Buckshnis asked about compensation for travel. Mr. Davidson receives compensation for travel but he will not be doing work. Transportation costs such as rental vans to transport students would be charged to the City and included in the cost. Mr. Chave said that was factored into the average \$7,000 cost of each course.

Council President Johnson commented she learned all about sustainability from Mr. Chave when she was on the Planning Board, he authored the Sustainability chapter of the City Comprehensive Plan, he is an advocate for sustainability and no one better could be selected to with application process. She supported Edmonds being a strong candidate for this program. She pointed out Edmonds is accessible by train from Fairhaven as well as by bus. Edmonds has been known as the friendliest city in Western Washington for so many years that the category was retired. Edmonds was the first city in the State to ban plastic bags, is a strong advocate for environmentally sensitive areas and sustainability. She would be honored and happy to work with Mr. Davidson and WWU. She observed there are a number of satellite WWU branches including Seattle, Everett and Mt. Vernon, and asked if those students and faculty would be involved. Mr. Davidson answered he is in discussion with them. Council President Johnson summarized if the directors can develop 46 proposals, WWU can be sure Edmonds is serious.

Councilmember Teitzel commented the City has a lot of time and money on the Strategic Action Plan (SAP) and the Comprehensive Plan and feared this might be a distraction from pursuing those items, some of which include sustainability. He needed more time to think about the proposal before he was ready to make a decision but could see the merits of such a program.

Councilmember Fraley-Monillas commented many of the items on the list are part of the SAP. With regard to concern about there being enough staff time, she assured the directors' interest in this program indicates they are willing to allocate the necessary staff time to assist in this endeavor.

Mr. Davidson relayed he worked with Andy Meyer, AWC Special Projects Coordinator, earlier this year to develop a group of cities to target this program; Edmonds was at the top of the list. Mr. Meyer was well aware Edmonds has been a leader in sustainability for decades. Mr. Meyer and WWU are thrilled that Edmonds is interested.

5. AUDIENCE COMMENTS

Farrell Fleming, Executive Director, Edmonds Senior Center, relayed he and Phil Lovell have spoken previously and made several relevant points with regard to the CAO and the new Edmonds Waterfront Center, which is what the new senior/community center will called. With regard to Amendment 6 related to frequently flooded areas, he pointed out the importance of considering when to deal with this, now or later. Now seems like a good time to start as the City and the Center as both will be dealing with the same issues in the coming years. The waterfront is already a frequently flooded area; if sea level rises, it is highly likely it will become an even more frequently flooded area. The Ebttide has sump pumps and the senior center has sandbags which the City provides to protect its building. In the Thanksgiving 2014 storm, the sandbags worked well, the sump pumps did not. He encouraged the Council to think of the CAO not as specific portion of code but as a process for addressing all the issues defined as critical area. When the Planning Board considered the issue last year, they recommended two changes, 1) change 19.00.025 requiring structures to be built 2 feet above base flood elevation, and 2) change the definition of height in 21.40.030 to allow for the height of structure within the coastal high hazard areas to be measured from 2 feet above the base flood elevation, thus compensating for the impact of new requirement. He assumed this definition of height was causing the Council concern; however, as often pointed out, frequently flooded areas are critical areas by definition. Further, with the growing attention

paid to the threat of sea level rise, it would be odd for an environmentally progressive community such as Edmonds with considerable stake in its waterfront to leave frequently flooded areas out of its 2016 process to update the CAO. He urged the Council to leave the frequently flooded areas in the updated CAO and to adopt the recommendation of the Planning Board and staff.

Mayor Earling declared a brief recess.

Mayor Earling relayed due to length of presentations, the following adjustments would be made to the agenda:

- Proceed with 6A and B
- Postpone 6C
- Proceed with 6D
- Postpone 6E
- Proceed with 6F and G
- Proceed with as much of 6H as time allows until 9:50 p.m.

6. STUDY ITEMS

A. CONTRACT WITH PROGRESSIVE ANIMAL WELFARE SOCIETY (PAWS) FOR KENNELING SERVICE

Assistant Police Chief Lawless explained after a long standing relationship with Adix's and Ginger's Pet Paradise for animal care and kenneling services, the relationship was terminated on December 18, 2015. The City had already been exploring other options for myriad reasons; the City is limited to service providers in the area. The City entered into an interim emergency agreement with PAWS and have been negotiating a contract with PAWS which is included in the Council packet.

COUNCILMEMBER FRALEY-MONILLAS MOVED, SECONDED BY COUNCILMEMBER BUCKSHNIS, TO APPROVE THE CONTRACT WITH PROGRESSIVE ANIMAL WELFARE SOCIETY (PAWS) FOR KENNELING SERVICE.

Council President Johnson questioned whether the intent was to take action to approve the contract tonight or forward it for approval on next week's Consent Agenda. Mayor Earling advised it is time sensitive. ACOP Lawless said he would appreciate action tonight; there will be no changes to the contract between now and next week. The City is operating under an emergency services agreement which is basically the same as the contract.

MOTION CARRIED (6-0-1), COUNCILMEMBER MESAROS ABSTAINING.

B. INDEMNIFICATION AND HOLD HARMLESS AGREEMENT - ANIMAL CONTROL OFFICER

Assistant Police Chief Lawless explained Senior Animal Control Officer Debbie Dawson recently retired after 30 years of service. She was the City's designated individual for emergency euthanasia of animals utilizing drugs regulated by the U.S. DEA. With the retirement of Officer Dawson, Animal Control Officer Tabatha Shoemake has been designated as the primary registrant and as such a new indemnification and hold harmless needs to be authorized and executed for her.

Councilmember Teitzel asked under what circumstances an animal control officer would euthanize an animal rather than taking it to a veterinarian or PAWS. ACOP Lawless answered if it is an emergency on-site euthanasia; the preference in the City's internal policy for dispatching of animals is not to use firearms but to humanely end an animal suffering. There have also been occasions when a rabid animal

has been taken into custody; it is safer and easier to euthanize the animal on scene. The animal control officer has been trained in both the administration and the maintenance of the drugs.

ACOP Lawless advised this is time sensitive as Officer Dawson's retirement was effective last week.

COUNCILMEMBER BUCKSHNIS MOVED, SECONDED BY COUNCILMEMBER TEITZEL, TO AUTHORIZE THE MAYOR TO SIGN AND EXECUTE THE INDEMNIFICATION AND HOLD HARMLESS AGREEMENT. MOTION CARRIED UNANIMOUSLY.

C. 2016 1ST QUARTER BUDGET AMENDMENT

This item was postponed to a future meeting.

D. NATIONAL CITIZEN SURVEY UPDATE

Economic Development & Community Services Director Patrick Doherty recalled last year the Council approved up to \$19,000 to engage in the National Citizen Survey (NSC). The survey, conducted by the National Research Center (NRC), is a statistically significant, scientific survey that has been conducted in over 350 jurisdictions in 44 states. This citizen survey tool is endorsed by the International City/County Management Association (ICMA). In addition to a set of categorized, standard questions that enable benchmarking and comparison with other cities or areas, the survey allows for the addition of questions customized for each specific community. As he was NRC's customer in another city, their prior customer discount of 25% is being extended to Edmonds.

The "basic service" randomly selects 1500 households. An introductory postcard is mailed to each household, alerting them to the survey that will follow soon in the mail. The following week the paper survey is mailed with a postage-paid envelope for easy return. Survey respondents may also opt to take the survey online following easy instructions. A reminder postcard is sent after a couple weeks. The national average is approximately 20-40% response rate. As Edmonds has a high percentage of participation in elections, activities and civic affairs, he anticipated a high response rate. At 1500 households the survey results have a 95% confidence level with a margin of error +/- 5%. A final report is delivered with the raw data, data summaries, benchmarking against nationwide survey results, and specific results from the customized questions. The \$19,000 budget allows for this basic service plus some add-ons:

- An additional 700 households (total 2,200) - increasing confidence level and decreasing margin of error further
- Additional benchmarking against communities meeting specific criteria
- Additional comparison of results by population demographics and/or specific geographic areas

The timeline for conducting the NCS is a start date of mid-May, with a completion date of by the end of August. This timeline will allow for information gleaned from the survey to be considered during the budgeting process for 2017. The packet includes the standard questionnaire and a draft of customized questions submitted by the department directors for inclusion at the end of the standard questionnaire with input from the NRC staff.

Councilmember Buckshnis expressed support for the NCS, anticipating it will dovetail into the Strategic Action Plan (SAP). Mr. Doherty recalled last year when the City Council approved an update to the SAP, the consultant suggested engaging the public in an update. He suggested scheduling open houses in September/October to share the survey information and tie the survey results into the SAP to see where additional updates may be appropriate.

Councilmember Buckshnis expressed extreme concern with Question 14 (In order to maintain the paved surfaces of our City streets, how much would you support or oppose use of the following potential funding sources: Increase in City vehicle license fees, vote to increase local property tax levy for streets) and 15 (In order to enhance the service level for Parks and Recreation, how much would you support or oppose use of the following potential funding sources: Vote to form a Metropolitan Park District as a dedicated taxing authority vote to increase property tax levy for maintenance and operations, vote to increase property tax levy for capital needs, including acquisition, park development, bonding for specific parks projects and infrastructure). She recalled the failure of the TBD and tax levy and some people may not know what a Metropolitan Park District (MPD) is. She preferred to have Council discussion before including those questions in a survey. She recalled many Councilmembers were split on the TBD issue. She preferred to gauge the public's opinion regarding budgeting by priorities which was in the SAP. She was opposed to loaded questions like 14 and 15 because no one wants their taxes increased. She preferred to map it out properly like the School District does and seek consensus from Council before including it in a survey of the public.

Mayor Earling pointed out the last time the City went to the public for a tax increase, there were three issues on the ballot at the same time. When multiple issues are including on a ballot, some people favor some and not others and all three tend to fail. Mr. Doherty commented the customized questions are draft; the NRC staff offered to work with staff to craft the wording of the question related to the MPD.

Councilmember Teitzel asked whether adding 700 households to the survey would also have the 20-40% response rate. Mr. Doherty answered yes.

Councilmember Fraley-Monillas agreed with Councilmember Buckshnis' comments but potentially for a different reason. She preferred to determine the Council's support for a tax increase before asking the citizens about raising their taxes. She recalled with the three issues were on the ballot previously, some Councilmembers actively worked against the ballot measures. She liked Question 17 (How likely or unlikely would you be to support increased funding to enhance the following Police-related services).

In response to Councilmember Teitzel's earlier question, Mr. Doherty said the cost of the survey with the add-ons would be under the \$19,000 budget, primarily due to the discount.

Mayor Earling commented this is somewhat time sensitive if the Council and staff want to utilize the results in the budget process. If it is Council consensus to withdraw the questions that Councilmember Buckshnis raised issues with, he suggested staff propose 1-2 addition questions. If the Council began to massage the survey, it could be delayed considerably which would not allow the results to be used in preparing the 2017 budget.

Councilmember Buckshnis suggested addressing the topics in Questions 14 and 15 in Question 17. She felt a MPD was too confusing for the public. Mr. Doherty advised staff has been counseled not to mix subject matters. He suggested Questions 14 and 15 included too much information regarding the mechanism for raising tax revenue whereas Question 17 simply asked the likelihood of support of increased funding. He suggested Questions 14 and 15 be more generic, inquiring about support for maintaining the paved surfaces of City streets and enhancing service level for Parks and Recreation. If there was strong support for increased funding, a second phase could include more information regarding the mechanism.

Councilmember Fraley-Monillas agreed with asking whether citizens whether they would be willing to support increased funding to pave roads rather than asking if they were interested in a property tax increase or an increase in the TBD.

Council President Johnson concurred with the previous comments. She asked what information is needed from the Council and when in order to begin the survey in mid-May. The agenda memo states this is for information only. Mr. Doherty explained the Council approved the survey process by budgeting for it; this agenda item is to inform the Council that the survey will be done and offering an opportunity for input into the questions. Given the Council's input regarding the questions, he would be ready to proceed with the contract tomorrow. Council President Johnson did not support that as she would like to see the revised questions before contracting with NRC. Mr. Doherty said the Council will not be able to see the final questions because they are mutually written with NRC but NRC will not do that work until they are under contract. Council President Johnson asked to see Mr. Doherty's version of the customized questions added to the NCS and the Council take action next week. Instead of inquiring about support for increased funding for roads, Council President Johnson suggested inquiring about support for increased funding for transportation which could include fixing potholes, sidewalks, bike lanes, traffic calming, etc. She suggested a similarly more detailed list with regard to parks.

It was the consensus of Council for staff to return with the draft questions next week.

Councilmember Nelson thanked Councilmember Buckshnis for her suggestion to model Questions 14 and 15 similar to Question 17.

E. DOWNTOWN RESTROOM BUDGET AUTHORIZATION

This item was postponed to a future meeting.

F. RECREATION & CONSERVATION OFFICE (RCO) GRANT RESOLUTIONS

Parks & Recreation Director Carrie Hite explained RCO is the main granting agency for local park projects. RCO's grant cycle is open every even year, grants are due by May 1. Staff received approval May 1 to submit the grants and are in the process of writing the grants. She met with the grant officer in Olympia to discuss the project, waterfront redevelopment associated with the senior center. If the grant is approved, the funds are allocated by the legislature in 2017 for funding in 2018 and that project should be cued up in two years.

The grant officer recommended the City apply for two different grants for same project, 1) Aquatic Lands and Enhancement Act (ALEA) to increase waterfront access and to enhance the aquatic lands environment, and 2) Washington Wildlife and Recreation Program (WWRP) for water access. The City has less chance to receive the WWRP grant; it depends on the number of applications. There are \$7-8 million available; 75% allocated to acquisition and 25% to development projects. There is \$500,000 budgeted in the CIP for park impact fees for this project.

The resolution stating the City is aware of the project and there are matching funds available is required by RCO for staff to submit the grant. She was hopeful the ALEA grant could be matched with the WWRP funds. She requested Council authorization to schedule approval of the resolution on the Consent Agenda.

It was the consensus of Council to schedule this item on next week's Consent Agenda.

G. SNOHOMISH COUNTY ILA AMENDMENT NO 3

Parks & Recreation Director Carrie Hite explained this amendment to the Snohomish County Conservation Futures grant is related to the Civic Field street vacations and deed restrictions. The Council authorized signing of the original ILA with Snohomish County Amendment No. 1 which authorized funds to be used for the purchase of Civic Field instead of the beachfront property, and Amendment No. 2 which authorized the conservation easement language and contract. Amendment No. 3 provides a revised

legal description and includes the acreage from the streets and alley into the area that is not restricted. She requested authorization to schedule approval on next week's Consent Agenda as Snohomish County needs to expend the funds by April 22.

It was the consensus of Council to schedule this item for approval on next week's Consent Agenda.

H. CRITICAL AREA ORDINANCE UPDATE

Senior Planner Kernen Lien said with the limited amount of time for review of the remaining amendments, the revised CAO would not be read for adoption next week. He reviewed potential amendments:

Appendices

- 8.A – Insert new Appendix A: Map of Critical Areas in Edmonds
 - Not regulatory - used for reference purposes only
 - Maps do not show the exact locations of all critical areas
 - Subject to change
 - Many referenced maps in the code are controlled by other agencies
 - Critical area code references that maps should be continuously updated as new critical areas are discovered (ECDC 23.50.010.D, 23.70.010.B, 23.80.040.B, and 23.90.010)
- 8.B – Insert new Appendix B: Listing of critical areas in Edmonds with buffer widths and category/classification designations
 - Cost prohibitive
 - Would have to visit every property in Edmonds
 - Critical areas not fixed in time or place
 - Per updated code, critical area determinations and reports only valid for five years (ECDC 23.40.080 and 23.40.090.F)
- Suggest making existing critical area information available on City of Edmonds web map with disclaimer

He displayed the City of Edmonds web maps available at Maps.Edmondswa.gov, explaining he has been working with the City's GIS Analyst Dave Rohde to add the critical area layers to the map.

Councilmember Nelson thanked Mr. Lien for developing this compromise. This is a great opportunity to inform citizens of critical areas in their neighborhoods and/or in their backyards. He asked how the public would access the maps. Mr. Lien said there is a link to the maps on the City's website available by searching maps. The maps currently include layers for storm water, water and sewer, as-builts, etc.; critical areas would be a new layer.

Councilmember Nelson asked whether citizens could access the maps from a computer at City Hall. Mr. Lien answered the plan is to have computers available for citizens' use in the Green Resources Room; any computer with internet access can access the maps.

COUNCILMEMBER NELSON MOVED, SECONDED COUNCILMEMBER TEITZEL, TO SUPPORT AMENDMENT 8B.

Councilmember Tibbott commented the maps are a great educational opportunity. He expressed concern the GIS maps raise an issue of privacy and asked if there had been concerns with displaying critical areas that exist on private property. Mr. Lien answered any information the City has is a public record. With regard to privacy related to aerial photographs, he suggested Dave Rohde may be able to answer that. He noted Google Earth allows anyone to look at basically anything anywhere in the world. He recalled in the past the State restricted the priority habitat species layer due to concern with identifying the location of endangered species. That layer is now publicly available on their website. With regard to critical areas, he

did not find a privacy issue as most information can be accessed via public records. Councilmember Tibbott asked if there was a way to prevent access to map layers that might be considered private information. Mr. Lien said none of the critical area layers would be considered private.

COUNCILMEMBER NELSON WITHDREW THE MOTION WITH THE AGREEMENT OF THE SECOND.

COUNCILMEMBER NELSON MOVED, SECONDED BY COUNCILMEMBER TEITZEL, TO APPROVE AMENDMENT 8A.

Mr. Lien said Amendment 8A was to include the maps as appendices to the CAO which make them static. His proposal was to make the information publicly available which is neither Amendment A or B.

COUNCILMEMBER NELSON WITHDREW THE MOTION WITH THE AGREEMENT OF THE SECOND.

COUNCILMEMBER NELSON MOVED, SECONDED BY COUNCILMEMBER FRALEY-MONILLAS, TO APPROVE AMENDMENT 8C, TO HAVE THE DIGITAL MAPS PUBLICLY ACCESSIBLE AND TO INCLUDE A DISCLAIMER.

Councilmember Buckshnis clarified Amendment 8C was adding the GIS map and asked if it will also include critical area buffers. Mr. Lien explained determining buffers for critical areas requires a site visit and a critical areas determination. For example, wetland buffers are based on habitat score. The critical area layer would show the potential presence of critical areas on or adjacent to a site.

Councilmember Buckshnis suggested using standardized buffer widths because citizens will want to know what buffer width is required. She referred to the buffer required for an anadromous fish bearing stream as an example. Mr. Lien advised the buffer width determination is made when a qualified professional makes a determination regarding the stream category. As an example, he noted the wetland buffer for a Category 3 wetland ranges from 60 to 165 feet depending on habitat score. Councilmember Buckshnis suggested including a minimum buffer. Mr. Lien said including the minimum buffer of 60 feet would be misleading when the buffer could be 165 feet.

Councilmember Fraley-Monillas asked whether consideration had been given to including an address layer. Mr. Lien demonstrated typing in the address, advising there are many tools and information in the mapping program including critical areas, stormwater lines, sewers, zoning, easements, deeds, street maps, and links to the permitting system, the Snohomish County assessor, etc. He said Dave Rhode developed this program.

Councilmember Teitzel asked how steep slopes were identified on the map. Mr. Lien pointed out areas identified on the map as potential erosion hazard 15-40% slope, slopes greater than 40% and the liquefaction hazard zone.

Mr. Lien clarified the motion was to make the City's critical area information available to citizens on the City's website without a login and to include a disclaimer regarding the accuracy of the information.

MOTION CARRIED UNANIMOUSLY.

Mr. Lien displayed Amendment 10:

ECDC 23.40.040.C – Areas subject to the provision of the CAO

- 10 – Replace to refer to new appendices if appendices are adopted

- ECDC 23.40.040.C notes that the critical area regulations apply regardless of any formal identification

As Amendment 10 was tied to Amendment 8, he suggested the previous motion takes care of Amendment 10.

7. MAYOR'S COMMENTS

Mayor Earling reminded of the Creative Age Festival of Edmonds (CAFE) on Friday and Saturday, an opportunity to learn how to become more involved in the community. He invited the Council to attend the ribbon cutting ceremony on Sunday for the Lutheran Church's new solar panels. He reported tomorrow he will be attending a cub scout meeting to talk about good government.

8. COUNCIL COMMENTS

Councilmember Tibbott reported over the past several weeks he has meet with citizen in regard to the CAO. This week he will have the opportunity to do a water quality check with Joe Scordino and students from Students Saving Salmon. He looked forward to seeing what the students are doing as well as the implications it has for the City.

Councilmember Mesaros announced the Edmonds Veterans Plaza is fully funded. The next step is linking information available at the Veterans Plaza to programs at Edmonds Community College which provides an opportunity for anyone who has not made a donation to do so.

Councilmember Fraley-Monillas reported the World Health Organization declared the Ebola situation in West Africa no longer constitutes a public health emergency of international concern and the temporary recommendations adopted in response should be terminated.

Councilmember Fraley-Monillas relayed a Snohomish County Health Districts' report regarding the Zika virus: The Centers for Disease Control and Prevention has issued a detailed recommendation for preventing transmission to women who are pregnant or likely to become pregnant in the near future. Beyond avoiding mosquito bites, the CDC recommends abstaining from sex or practicing safe sex and delaying conception for at least eight weeks after possible Zika virus illness or exposure. More information is available at the Snohomish Health District website.

Councilmember Buckshnis announced the K-9 statute at the Veterans Plaza is also fully funded. A committee will be reviewing designs on Thursday night.

Councilmember Buckshnis commended Keely O'Connell, Carrie Hite and Rob English for their fabulous presentation to the Salmon Recovery Funding Board regarding final design of Willow Creek daylighting project.

9. CONVENE IN EXECUTIVE SESSION REGARDING PENDING OR POTENTIAL LITIGATION PER RCW 42.30.110(1)(i)

This item was not needed.

10. RECONVENE IN OPEN SESSION. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

This item was not needed.

11. ADJOURN

With no further business, the Council meeting was adjourned at 9:58 p.m.